

against any other defendant in this case other than Doyle Barnett himself.

BY MR. DOAR:

May I read the statement?

BY THE COURT:

I believe I'm going to let you offer a copy rather than the original that you handed to the Clerk after the Clerk has made the comparison of the copy with the original, instead of marking the original the Clerk will mark the change or corrected copy in evidence and not the original.

BY MR. DOAR:

May I read the change or corrected copy to the Jury?

BY THE COURT:

Yes sir. Its not a corrected copy its just a deleted copy, things that shouldn't be before the jury even any attempt of consideration has been removed from the statement, its not corrected its deleted.

BY MR. DOAR:

Springhill, Louisiana, November 20, 1964. I, Horace Doyle Barnett, do hereby make this free and voluntary statement to Special Agent Henry

1 Rask and Special Agent James A. Wooten---

2 BY MR. ALFORD:

3 Your Honor, he's reading the titles in here
4 instead of what it says. It just says S/A.

5 BY THE COURT:

6 Well, I don't think that's wrong to interpret
7 something. It is written S/A and that is
8 the abbreviation for Special Agent, and I'll
9 overrule your objection.

10 BY MR. DOAR: (continuing)

11you have identified themselves to me as
12 Special Agents of the Federal Bureau of Investi-
13 gation, and S/A Henry Rask has informed me that
14 I do not have to make a statement. That any
15 statement made by me can be used against me in
16 a court of law and that I am entitled to consult
17 with an attorney before making this statement,
18 that if I can not afford ann attorney and I am
19 required to appear in Court the Court will appoint
20 one for me. That force, threats, or promises were
21 made to induce me to make this statement. I
22 presently reside at Sellars, Louisiana. I am
23 twenty-six years old and was born on September
24 11, 1938 at Plain Dealing, Louisiana. On
25 June 21st, 1964 about 8:00 o'clock P. M. I

was having dinner at blank blank house----

BY MR. COVINGTON:

May it please the Court, he's not reading it right.

BY MR. DOAR: (continuing)

was
I/having supper, excuse me--

BY MR. WEIR:

If the Court please our statement reads different from his also in that he read Sellars Louisiana and ours reads Cullen, Louisiana.

BY THE COURT:

Which is correct?

BY MR. DOAR:

I believe it is Cullen. The writing on this is a little hard to read.

BY MR. WEIR:

If the Court please I move that he be required to read it accurately.

BY THE COURT:

Yes Mr. Doar, read it accurately.

BY MR. DOAR:

I was having supper at blank blank house, Meridian, Mississippi. Blank called blank on the telephone and told blank that the Klan had a job and wanted to know if blank and I could go. Blank

1 asked me if I could go and we went to Meridian,
2 Mississippi, we did not know what the job was.
3 Upon arriving at blank we were met by blank,
4 blank, Jim Jordan, and blank. Blank told us
5 that three civil rights workers were in jail in
6 Philadelphia, Mississippi, and that these three
7 civil rights workers were going to be released
8 from jail and that we were going to catch them
9 and give them a whipping. We were given brown
10 cloth gloves. Blank, blank and Jordan got into
11 my car and we drove to Philadelphia. Blank and
12 blank left before we did and we were told that
13 we would meet him there. When we arrived in
14 Philadelphia about 9:30 P. M. we met and wait
15 for someone to tell us where the three civil
16 rights workers, when the three civil rights
17 workers were being released from jail. While
18 we were talking, blank stated that we have a
19 place to bury them and a man to run the dozer to
20 cover this up. This was the first time that I
21 realized that the three civil rights workers were
22 to be killed. About five or ten minutes after
23 we parked blank came to the car and said they
24 are going toward Meridian on Highway 19. We
25 proceeded out Highway 19 and caught up with a

Mississippi State Highway Patrol car which pulled into a store on the left hand side of the road. We pulled alongside the patrol car and then another car from blank pulled in between us. I was driving a 1957 Ford, four-door, two-tone blue bearing Louisiana license. Blank then drove away and we followed him. I then drove fast and caught up to the car that the three civil rights workers were in, pulled over to the side of the road and stopped. About a minute or two later blank came along and stopped on the pavement beside my car. Jordan asked him who was going to stop them and blank said that he would and we followed. The civil rights workers turned off 19 on to a side road and drove about a couple of miles before blank. Blank told them to get out and to get into his car. At the junction of highway 19 and where we turned off I had let blank out of the car to signal the fellows in the Philadelphia car. We then turned around and proceeded toward Philadelphia.

BY MR. AEFORD:

Objection Your Honor, we have that marked out.

BY MR. McINTIRE:

I have that marked out too, Your Honor.

1 BY THE COURT:

2 I believe my copy is back in chambers.

3 I thought you gentlemen took this out during the
4 noon hour.

5 BY MR. DOAR:

6 Its just an error on my part, Your Honor, it is
7 out.

8 BY THE COURT:

9 It is out?

10 BY MR. DOAR:

11 Yes sir.

12 BY THE COURT:

13 What is out.

14 BY MR. WER:

15 Move the Court to grant us a mistrial.

16 BY THE COURT:

17 Let me see what was in it. Where were you reading?

18 BY MR. DOAR:

19 On the bottom, the fifth line, Your Honor.

20 BY THE COURT:

21 Show me what you were reading, I wasn't following
22 you.

23 BY MR. ALFORD:

24 Your Honor, may we show you?

25 BY THE COURT:

Mr. Doar you are going to have to read this carefully or else I'm going to let someone else read it.

BY MR. ALFORD:

He read this Your Honor.

BY THE COURT:

Yes, I see what you read but I don't think that was prejudicial so I'll overrule the request for a mistrial, but Mr. Doar, you are going to have to be careful now, as this is real important and if you make another mistake I'm going to do something else about it.

BY MR. DOAR: (Continuing)

We then turned around and proceeded toward Philadelphia. The first car to start back was blank, and he had Jim Jorden in the front seat with him and the three civil rights workers in the back seat. I followed and picked up blank at the junction of highway 19. Blank drove the 1963 Ford belonging to the civil rights workers. When we came to blank car, blank and blank pulled over to the left side of the highway and stopped in front of blank car. I stopped behind it. Blank and blank and the other men from Philadelphia got into the 1963 Ford and rode with blank. I

do not know how many men were from blank.

Blank started first and I pulled in behind him and blank driving the 1963 Ford came last. I followed blank down highway 19 and he turned left onto a gravel road. About a mile up the road he stopped and blank and I stopped behind with about a cars length between each car. Before I could get out of the car, blank ran past my car to blank car, opened the left rear door, pulled Schwerner out of the door, spun him around so that Schwerner was standing on the left side of the road with his back to the ditch and said, "Are you that nigger lover.?" and Schwerner said, "Sir, I know just how you feel." Blank had a pistol in his right then shot Schwerner. Blank then went back to blank car and got Goodman, took him to the left side of the road with Goodman facing the road and shot Goodman. When blank shot Schwerner, blank had his hand on Schwerner's shoulder. When blank shot Goodman blank was standing within reach of him. Schwerner fell to the left so that he was lying alongside the road. Goodman spun around and fell back toward the bank in back. At this time, Jim Jordan said, save one for me. He then got out of blank car

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and got Chaney out. I remember Chaney backing up facing the road and standing on the bank on the other side of the ditch and Jorden stood in the middle of the road and shot him. I do not remember how many times Jorden shot. Jorden then said, "you didn't leave me anything but a nigger, but at least I killed me a nigger." The three civil rights workers were then put in the back of their 1963 Ford Wagon. I do not know who put the bodies in the car but I only put Chaney's foot inside the car. Blank then got in his car and drove back toward Highway 19. Blank, blank and Jorden then got in the 1963 Ford and started up the road. Blank blank and another person who I do not know the name of got into my car and we followed them. I do not know the roads we took but went through the outskirts of Philadelphia and to the damsite. When we arrived at the damsite, someone said that the blank operator was not there and blank, blank and I went to my car to find him. We drove out to a paved road and about a mile down the road we saw a blank parked on the left side of the road. Blank told me to stop and we backed up to this car. Blank and two other men were in the car. Blank said

1 they were already down there and blank said to
2 follow them. I followed the blank back toward
3 the damsite taking a different road until the blank
4 stopped. Blank said it is just a little ways over
5 there and Blank and the blank operator walked the
6 rest of the way. Blank and I then followed blank
7 and the other men back. We were there about
8 thirty minutes when the other fellows back from
9 the damsite in the 1963 Ford. Blank got a glass
10 gallon jug and filled it with gasoline to be used
11 to burn the 1963 Ford car owned by the three
12 civil rights workers. It was then about one
13 to one-thirty in the morning. Blank, blank,
14 Jordan and blank and I then got into my car and
15 we drove back toward Philadelphia. When we got
16 to Philadelphia blank stopped us and we got out
17 and blank who told us which way the civil rights
18 workers were leaving town got out of the blank.
19 We talked for two or three minutes and then some-
20 one that we better not talk about this and blank
21 said "I'll kill anyone who talks, even if it
22 was my own brother." We then got back into my
23 car and drove back to Meridian and passed blank
24 car which was still parked alongside the road.
25 We did not stop and there was one or two men

standing by blank car. We then kept going to Meridian. I took blank home, left Jorden and blank at blank, took blank home and went home myself. I have read the above statement consisting of this and nine other pages and they are true and correct to the best of my knowledge and belief. I have signed my initials to the bottom of the first nine pages and initialed mistakes. No force, threats, or promises were made to induce me to make this statement. Horace Doyle Barnett, witnesses: Henry Rask, Special Agent, F. B. I. November 20, 1964. James A. Wooten, S/A, F. B. I. New Orleans, Louisiana, 11-20-64.

BY THE COURT:

You may cross examine.

CROSS EXAMINATION

BY MR. COVINGTON:

Mr. Rask, I believe you stated you were assigned to investigate this Neshoba incident, is that correct?

A. Yes sir.

Q. What date were you assigned to this particular job?

A. I believe I came over here on October 30th or 31st, 1964.

- 1 Q And were you here in Meridian, Lauderdale County?
- 2 A Yes sir.
- 3 Q And when did you first receive the assignment to
- 4 go to Louisiana?
- 5 A It would have been a two or two before I went
- 6 there. I got the assignemtn and then I hdd to
- 7 make airplane reservations.
- 8 Q What day did you arrive there sir?
- 9 A I arrived there on the 19th. November 19th.
- 10 Q Then I assume you left Meridian on the 17th?
- 11 A I believe I left Meridian on the 19th. I flew
- 12 over there.
- 13 Q Were you in contact with someone in Louisiana
- 14 before you went over there?
- 15 A Yes sir.
- 16 Q And who was that?
- 17 A James Wooten.
- 18 Q And Wooten called and requested that you come
- 19 over there, is that correct?
- 20 A This, I don't know. I was instructed to go over
- 21 thereand contact Mr. Wooten.
- 22 Q All right sir, when you contacted Mr. Wooten upon
- 23 your arrival in Louisiana, did he fill you in on
- 24 what had transpired or had happened over there
- 25 prior to your arrival?

A. Yes sir.

Q. And did he tell you he had interviewed Doyle Barnett?

A. I don't recall him telling me that he interviewed him sir.

Q. Did he tell you that he had talked to him or seen him?

A. Uh, Yes sir, I believe he told me that he had talked to him.

Q. Did he tell you how many times he had talked to him or how many times he had seen him?

A. No sir.

Q. And did he tell you the gist of the conversations that he had had with Doyle Barnett at that time?

A. No sir. Just general background that he might have picked up on Mr. Barnett.

Q. But he is the Agent that had requested someone to come over and talk with Mr. Barnett?

A. I don't know sir.

Q. But you were assigned to go over there specifically to talk with Mr. Barnett?

A. Yes sir.

Q. And that was in connection with the Neshoba incident?

A. Yes sir.

1 Q All right now, do you recall the first occasion
2 that you saw Mr. Barnett?

3 A Yes sir.

4 Q And where did you see him?

5 A The first time I talked to Mr. Barnett Mr.
6 Barnett was employed at the Nations Brothers
7 Trucking Company. We went there where he worked
8 and at this time, I don't think Mr. Barnett was
9 there. His employer, we talked with his employer,
10 and he got in contact with Mr. Barnett for us so
11 we could talk to him.

12 Q What I asked you sir, was the first time you saw
13 him?

14 A I believe the first time I saw him was at the
15 motel.

16 Q And would you explain to me how he got to the
17 motel please sir?

18 A I believe, uh, either the first or second day we
19 picked him up at work and took him to the motel,
20 I'm not sure which day it was.

21 Q In other words, the first time that you say him
22 was not at a motel but at his job is that correct?

23 A I believe so.

24 Q And you went to the job and got him and took him
25 to the motel room?

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Brothers

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and took him

Q And what was the reason you gave Mr. Barnett for taking him to the motel room?

A We simply told him we wanted to talk to him and asked him if he would be kind enough to talk to us.

Q And did you tell him who you were and what you were doing at that time sir?

A I told him who I was, yes sir.

Q Did you tell him what you were doing?

A I did not explain to him at this time that I was investigating the case.

Q But you knew you were investigating this case because you had been investigating it in Meridian?

A Yes sir.

Q You had gone to Louisiana for further investigating this case?

A Yes sir.

Q But you did not tell Mr. Barnett this?

A I told him that we were investigating matters over in Meridian and it was mentioned that he had been over here.

Q Well I believe I misunderstood you, I didn't understand that you told him you were investigating the Neshoba incident?

A I didn't specify the fact that I was working on

1 the case involving the three civil rights workers.
2 I told him that I understood that knowledge that
3 he had knowledge of Klan activities over here
4 and that I would like to talk to him about it.

5 Q Well sir did you advise him rather that you were
6 investigating Klan activities at Meridian, is
7 that the explanation that you gave him?

8 A Yes.

9 Q And that's the only explanation that you gave
10 him?

11 A I believe so.

12 Q And with that you put him in the automobile and
13 took him to the motel?

14 A Yes sir.

15 Q Whose motel room was it?

16 A Well, Mr. Wooten and I both signed in the motel.

17 Q And who was staying there at night?

18 A Both of us, Mr. Wooten and I.

19 Q Would you describe what was in the room, in
20 the way of furniture?

21 A Yes sir, two beds in the room, on the wall
22 opposite the beds was a little table and chair.

23 Q All right sir and at the time you took Mr.
24 Barnett to the motel room on this occasion which
25 you are speaking of would you tell the Court and

Now where you placed him before you started your interrogating?

A. I believe Mr. Barnett was sitting either on the foot of one of the beds or in the chair next to the bed.

Q. Did you or not have a desk in the room?

A. Well a desk or a table.

Q. Was this table placed at the foot of the bed?

A. Against the wall opposite the bed.

Q. That would be at the foot of both of the beds?

A. Yes.

Q. And Mr. Barnett was where he was between the beds?

A. I can't recall the exact position he was sitting in at this time.

Q. What was he sitting in Mr. Rask?

A. Well he was either sitting on the bed or on the chair.

Q. So you placed a chair there and sat him on a chair, is that correct?

A. He was asked if he wanted to sit down and he could sit any place he wanted to.

Q. But he sat down in this place and remained there during the entire time of the interrogation is that correct?

1 A The entire time, he might have gotten up and gone
2 to the bathroom or something like that.

3 Q Well, did he?

4 A I can't recall exactly if he did.

5 Q So you can't say that he did?

6 A No sir.

7 Q How long did you talk to him on this occasion?

8 A About two hours.

9 Q And did you return him where you had picked him
10 up in your automobile?

11 A No, I believe we took him to his home.

12 Q Did you meet any of his family while you were at
13 his home?

14 A No sir, I didn't get out of the car.

15 Q Have you talked to any member of his family prior
16 to this time?

17 A I had not.

18 Q I believe Mr. Wooten had.

19 A I don't know sir.

20 Q Did Mr. Wooten tell you he had?

21 A No. I don't recall him telling me that.

22 Q Did he give you any background information at all
23 on Mr. Barnett before he talked with you?

24 A Yes, he gave me some background information.

25 Q Did he tell you he was married?

A I believe so.

Q Did he tell you anything about his wife's condition as to whether she was or not expecting a baby?

A I was told that but I don't know if Mr. Wooten told me that or if Mr. Barnett told me that or I might have learned that before I came there.

Q You were aware of that before you talked to him?

A Yes sir.

Q All right, now did you know how long it was before the baby was due?

A No sir.

Q Did you have any idea?

A I know now, but at that time I didn't.

Q But it was fairly eminent that it was soon that the child was to be born, is that correct?

A No, I'd say several months.

Q Several month. All right now, what time did you return Mr. Barnett to his home?

A That would have been after the interview and the interview terminated at 7:20. We drove Mr. Barnett to his home.

Q All right sir, where did you pick Mr. Barnett up the next day?

A I believe Mr. Barnett came to the motel himself the next day.

1 Q And how did he come?

2 A He came in his car.

3 Q And what time did he arrive?

4 A At 3:00 o'clock.

5 Q In the afternoon.

6 Q Was this on a working day?

7 A This was on Saturday.

8 Q And how late did he stay that day?

9 A Until 8:56 P. M.

10 Q And was the arrangement in the room the same or
11 different?

12 A It was the same.

13 Q And he sat in the same chair?

14 A I believe so or on the bed.

15 Q And who conducted the interrogation?

16 A I conducted the interview.

17 Q You along conducted the interview?

18 A Well, Mr. Wooten would ask questions, but he
19 wasn't familiar with the case.

20 Q I see. So you were doing the mainconducting of
21 the interview because you were familiar with
22 the case and you knew what information you wanted
23 is that correct?

24 A Yes sir.

25 Q Now, did Mr. Wooten take turns questioning him

or just how did you operate it?

A I did most of the questioning but there were occasions when Mr. Wooten would talk.

Q What was the date of this Saturday.

A November the 20th.

Q November the 20th, and this is the day that you took this statement?

A Yes sir.

Q All right now how many more times did you talk with him on this date?

A From 3:00 o'clock until 8:56 P. M.

Q All right sir, what did you have for dinner that night sir?

A I couldn't say sir.

Q All right sir, did you have something sent into the room to eat or just what did you eat there sir?

A At 5:20 I asked Mr. Barnett if he was hungry or thirsty and said that he was thirsty and we got him a coke.

Q But you didn't let him go out to eat or anything did you?

A No, not at that time.

Q All right sir, at the time you questioned him you were writging, is that correct?

1 A. Not all of the time sir.

2 Q. Now, how many drafts or copies or different state-
3 ments did you write out while you were interroga-
4 ting Mr. Barnett?

5 A. Just one.

6 Q. Just one. And you made no correction or anything
7 on it as you went along with it?

8 A. There were corrections made on it after the
9 statement was made.

10 Q. And you just made one statement or rather
11 composed one statement that afternoon?

12 A. Yes sir.

13 Q. When did you start writing down this statement
14 that afternoon?

15 A. At 5:21.

16 Q. And you wrote continuously from 5:21 until
17 after 8:00 P. M.?

18 A. I wrote the statement from 5:21 until 8:15.

19 Q. All right sir now, of course all of your con-
20 versation is directed to what is contained in
21 this statement during this period of time is
22 that right sir?

23 A. Yes sir.

24 Q. Did you have any difficulty in making a choice
25 of words for Mr. Barnett there sir or just what

took you so long to write this statement down?

A. Well when we first started talking Mr. Barnett went over the entire story with us and then I went over it again and made some notes, and we discussed each point as it went along to get everything in chronological order and then I proceeded to write the whole thing.

Q. All right now, isn't it true that you would write a while and Mr. Wooten would question and then Mr. Wooten would write a while and you would question, isn't that the way you did it?

A. No sir, I wrote the entire statement.

Q. And Mr. Wooten did the questioning?

A. No sir, I did the questioning and I did the writing; however, there was a time that I was writing that Mr. Wooten would talk to Mr. Barnett.

Q. And he would be questioning while you were writing on some occasions?

A. Not too often because I was trying to get the statement down exactly the way Mr. Barnett wanted it.

Q. In other words, you knew the information that you had gone there to get and that was what you were getting was that information?

A. I didn't know what informatiⁿⁿ sir.

1 Q But you had some idea as to what information you
2 wanted?

3 A I had some idea, yes sir.

4 Q And you took your ideas from what Mr. Barnett
5 said and made a statement out of it is that
6 right?

7 A I took what Mr. Barnett told me and put it in
8 a statement.

9 Q And those are his exact words and none of them
10 are yours?

11 A Oh, no sir. He told me what happened and then
12 we discussed it and then I wrote it down.

13 Q So those are your words that you wrote down?

14 A Some mine and some Mr. Barnetts.

15 Q All right

16 Q Now when at what point did you promise him that
17 if he would cooperate with you that things would
18 go easy with him?

19 A I didn't make that promise to him.

20 Q Not during this interview?

21 A No sir.

22 Q Or was it the day before?

23 A No sir, I did not make that promise.

24 Q Do you know if Mr. Wooten had made these statements
25 to him?

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these statements

A. Not in my presence.

Q. But you don't deny that these statements were made do you?

A. I deny anyknowledge of anyone making such statements.

Q. Now who advised him that there had been some confessions from some people in Meridian?

A. I don't know, I didn't advise him this.

Q. Well did this come up during the interview or the interrogation of this matter?

A. No sir.

Q. Now you were aware of Mr. Barnett's general financial condition, Mr. Wooten had filled you in on this had he not?

A. I don't know if Mr. Wooten told me of Mr. Barnett's financial. I probably knew as much about it or more about it than he did.

Q. All right sir and you knew this before you left Meridian?

A. Yes sir.

Q. In other words you knew something about Mr. Barnett before you ever left Meridian and went over to Louisiana to interview Mr. Barnett, isn't that correct?

A. Yes sir.

- 1 Q And you knew he was under investigation or
- 2 a suspect before you ever left Meridian and
- 3 over there didn't you?
- 4 A Yes, he was being investigated like all other
- 5 members of the Klan were at that time.
- 6 Q What I am trying to say is that Mr. Barnett
- 7 in Louisiana, excuse me, Mr. Wooten over in
- 8 Louisiana had been making reports back and forth
- 9 to Meridian on Mr. Barnett?
- 10 A No sir, I don't believe that's correct.
- 11 Q What is correct?
- 12 A As far as I know Mr. Wooten had only contacted
- 13 Mr. Barnett on one occasion.
- 14 Q What date was that occasion?
- 15 A Prior to the 19th I don't know sir.
- 16 Q Do you know what he discussed with him on that
- 17 occasion?
- 18 A I know what I was told, I don't have any personal
- 19 knowledge.
- 20 BY MR. HAUBERG:
- 21 We object to what he was told.
- 22 BY THE COURT:
- 23 Sustain the objection.
- 24 BY MR. COVINGTON:
- 25 Q Now, Mr. Wooten had contacted several people

this community concerning Mr. Barnett had he not?

A I don't know sir.

Q Well, did you contact anyone else in this community concerning Mr. Barnett?

A Just his employer.

Q Just his employer, and what date was that?

A That was the date that we first went over there, November the 19th.

Q That wasn't on the 21st?

A Well we contacted his employer on the 19th and we also contacted his employer on the 20th or his employer contacted us, I'm not sure just how it happened but Mr. Barnett said he would get in touch with us as soon as he got back from his trip and I don't know if Mr. Barnett or his employer called us and told us that he was back and we could make arrangements to meet him.

Q All right sir, and how did you make these arrangements to meet him?

A Are you talking about the 20th.

Q Who notified us that he had gotten back?

A I am not sure whether it was Mr. Barnett or his employer. Mr. Wooten took the phone call.

Q But you were present in the room while he took the phone call?

1 A Yes, but I don't remember who he talked to.

2 Q But you know what his end of the conversation
3 don't you?

4 A Yes.

5 Q And he talked to you concerning the call didn't
6 you?

7 A Well the only information passed down was the
8 fact that he was back and arrangements had been
9 made for him to meet us at the motel at 3:00 o'clock

10 Q Well did you hear him making those arrangements
11 on the telephone?

12 A I believe I was in the room at the time.

13 Q All right, what arrangements did he make for
14 Mr. Barnett?

15 A For Mr. Barnett to come to the motel at 3:00 o'
16 clock.

17 Q Tell me the exact conversation sir, if you remember

18 A I can not recall.

19 Q Can you tell me the substance of the conversation?

20 A All I recall is when Mr. Wooten answered the
21 telephone the gentlemen that talked to him
22 I assume that he told him Mr. Barnett was back
23 in town---

24 BY MR. HAUBERG:

25 We object to his assuming.

BY THE COURT:

Sustain the objection.

BY MR. COVINGTON:

Q Well did he tell you or did you learn or know at that time from being in the room while this conversation was taking place that he had just returned from Tyler, Texas?

A At this time, no I didn't know that.

Q Did you later determine that fact?

A Yes sir, Mr. Barnett said he had just gotten back and called us.

Q And you and Agent Wooten got with him immediately upon his return from Tyler, Texas?

A I can't say for sure. I know the appointment was set up for three o'clock. I don't believe that Mr. Wooten, uh, that Mr. Barnett had just gotten in I believe he stated he had arrived back in town around one or one thirty.

Q What time did he make these arrangements for Mr. Barnett to come to the motel?

A Well I believe he called when he got back to the truck terminal.

Q Mr. Rask, isn't it true that he returned from Tyler Texas that you and Agent Wooten were out on the job in your automobile waiting for him to

1 come back?

2 A. No sir.

3 Q. And isn't it true that you all told him to get
4 in your car that you were going back to the motel

5 A. No sir.

6 Q. That's not true?

7 A. No sir.

8 Q. Would you indulge me just a moment please?

9 Mr. Rask, after you had obtained this statement
10 and left Louisiana, you returned to Meridian
11 did you not?

12 A. Yes sir.

13 Q. Did you stay in contact with Mr. Wooten after
14 that concerning Mr. Barnett's activities?

15 A. I did not make any personal contact with Mr.
16 Barnett.

17 Q. Did you ever have any further contact with Mr.
18 Barnett?

19 A. Yes sir.

20 Q. Have you ever had any further contact with Mr.
21 Wooten?

22 A. Yes sir.

23 Q. Now, at the time that Mr. Barnett was arrested
24 and placed in jail which I believe was in
25 December of 1964, he had an attorney is that not

correct?

A I don't know sir.

Q Was it you or Agent Wooten that this attorney asked to leave the cell and quit interrogating Mr. Barnett?

A I wouldn't know sir.

Q It was not you?

A It was not me.

Q You are not saying it was Agent Wooten?

A Uh, I wouldn't say it happened, I don't know sir.

Q That's all.

BY MR. WATKINS:

If the Court please, may I ask the witness a question

BY THE COURT:

Yes sir.

Q Please sir, before you went to Louisiana, the investigation had focused on Mr. Barnett before you went over there had it not?

A Yes sir.

Q He had been seen several times?

A Yes sir.

Q And you went over there for the sole purpose of securing a statement from him to be used against him if you could get that statement did you not?

1 A Well I went over there to get what information
2 I could.

3 Q You had in mind to get a statement from him if
4 he would give you a statement right?

5 A If Mr. Barnett wanted to give me a statement,
6 yes sir, I would take it.

7 Q Qn other words you had assumed in your mind that
8 this man knew something that he ought to tell
9 you when you went over there, didn't you?

10 BY MR. HAUBERG:

11 We object to the form of the question Court please.

12 BY THE COURT:

13 I'll let him answer. He's on cross examination.

14 BY MR. WALKINS:

15 Q Is the function of guilt what you had in your
16 mind when you went over there to talk to him
17 did you not sir?

18 A We had been informed that he had been active in
19 Klan activities in the Meridian area, and we
20 went over to get whatever information he would
21 give us about the Klan activities in this area.

22 Q And you had in your mind what you call the theory
23 of this case before you went over there as far
24 his confession was concerned if any didn't you?

25 A Yes sir.

Q It took you so long to revamp the discussion into the statement did it not?

A No sir.

Q Well, I'll ask you sir, when you heard Mr. Doar read this statement in this Court that if it didn't take him approximately seven minutes to read, wasn't that correct?

A I didn't time it sir.

Q In your judgment wouldn't it have been less than ten minutes?

BY MR. HAUBERG:

We object to that, its immaterial.

BY MR. WATKINS:

I'm leading up to a question, Your Honor.

BY THE COURT:

All right you may answer.

BY THE WITNESS:

A The part of the statement that he read, yes it was approximately ten minutes.

Q Then would you explain why it took you approximately five hours to accumulate something that Mr. Doar read in approximately seven or eight minutes?

A It took six hours to reduce the whole statement in writing.

1 Q Then you are saying then to the Court that you
2 did not sit down and start writing what Doyle
3 was telling you, but from time to time you discuss
4 and revamped the discussion with him, did you not
5 do this?

6 A Yes sir.

7 Q During that time did he have any contact with the
8 outside?

9 A No sir.

10 Q During that period of time did he ever remain
11 silent during that period of time and if so in
12 your judgment how long?

13 A The only time that Mr. Barnett was silent was
14 when I was writing.

15 Q Well then would you say he was talking the
16 majority of this five or six hours?

17 A Yes sir, he spent about the first two hours
18 telling us about this whole incident, and without
19 me writing.

20 Q And out of that five or six hours you selected
21 enough information and placed it on a piece of
22 paper that was read within seven or eight minutes
23 is that correct?

24 A Well, I wrote the statement, yes sir.

25 Q Now, did he at any time write anything on the

statement other than what was on the bottom?

Yes

A. ~~XMH~~ sir.

Q. Yes sir, what?

A. He signed, uh initialed at the bottom of each page and when he read the statement he initialed each correction that he made.

Q. Now, when you issued him this warning as you listed in the statement, did you not do that when you first started talking to him?

A. I gave Mr. Barnett the statement the first day when I talked to him and the second day when I first started talking to him I also gave him this warning again.

Q. And you did not tell him anything other than what you put in the statement, is that correct?

A. That's what I told him.

Q. Now, give the Court and Jury how much time lapsed from the time you first got in the motel room until you started writing his statement.

BY MR. HAUBERG:

We object Your Honor, he's already testified to that.

BY MR. WATKINS:

All right then, I'll withdraw it.

Q. How much time then lapsed from the time you

1 gave him this warning until you started taking
2 his statement down?

3 A I advised Mr. Barnett of his rights at 3:01 and
4 at 5:21 I started preparing the statement.

5 Q Thank you. Do you know how many agents questioned
6 him before you were ever assigned to the job of
7 securing the statement?

8 A I don't believe any agent had ever talked with
9 him about this case other than myself and Mr.
10 Wooten.

11 Q Well then there would only be two of you that
12 you know of?

13 A Yes sir.

14 BY MR. HENDRICKS:

15 May I question him too, Your Honor?

16 BY THE COURT:

17 Yes sir.

18 BY MR. HENDRICKS:

19 Q Mr. Rask, there was no lawyer present at the
20 time you took this statement?

21 A There was no lawyer present.

22 Q If he had a lawyer do you think he would have
23 given you that confession?

24 BY MR. HAUBERG:

25 We object to that if the Court please.

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BY THE COURT

Sustained.

BY MR. HENDRICKS:

Q Who's head of the F. B. I. Mr. Rask?

BY MR. HAUBERG: head of the F. B. I. Mr. Rask?

BY MR. We object to that.

BY THE COURT:

You may answer.

BY THE WITNESS:

A J. Edgar Hoover.

Q Now isn't it true that you have orders and had orders at that time from Mr. Hoover not to take statement from anyone if their lawyers were present?

Q No sir I never have.

Q Do you deny that?

BY MR. HAUBERG:

We object to Counsel arguing with the witness.

BY THE COURT:

You may answer but don't argue with him Counsel/

BY THE WITNESS:

A We have instructions that when a person wants

1 Q But if the lawyer's present you will not take
2 a statement from him at that time?

3 A If they want to give us a statement they can
4 write a statement out and give it to us.

5 Q In the presence of his lawyer?

6 A Yes sir, the lawyer can furnish us a statement
7 if he wants to.

8 Q And that's not your instructions from Mr. Hoover?

9 BY MR. HAUBERG:

10 We object if the Court please.

11 BY THE COURT:

12 Let him answer.

13 BY THE WITNESS:

14 A That's my recollection of our instructions.

15 Q Do you know what they are, you've been trained
16 and told what they are haven't you?

17 A That's my recollection sir.

18 Q That's all.

19 BY MR. BUCKLEY:

20 May I ask him a few questions sir?

21 BY THE COURT:

22 Yes sir.

23 BY MR. BUCKLEY:

24 Q I believe you stated you talked to him on the 19th
25 is that correct?

A Yes sir.

Q For approximately two hours is that correct?

A Yes sir.

Q Did you take anything down in writing on that day?

A Yes sir.

Q Did you get him to sign anything on that day?

A No sir.

Q Why did you not?

A I didn't ask him to.

Q Why did you not get him to sign a statement?

A Because I didn't discuss any matters that were pertinent to this case as far as his activities on the day the crime was committed.

Q The fact of the business is it was taken down on the following day?

A I don't understand your question sir.

Q On the following day, the day following the 19th which would be the 20th?

A Yes sir.

Q You didn't take down near all he said on that date did you?

A Well I took down everything that I could take down at that time.

Q You took down everything you wanted down didn't you?

1 BY MR. HAUBEEG:

2 We object to the form of the question Court please.

3 BY THE COURT:

4 Yes, sustain the objection.

5 BY MR. BUCKLEY:

6 Q You interviewed or questioned him for approxi-
7 mately 2 hours and 15 minutes if I recall
8 correctly before you started taking down any
9 statements, is that correct?

10 A Yes sir.

11 Q And you said to the Court and Jury while ago
12 that he came right in the room and started
13 talking?

14 A Almost after he came into the room the first
15 thing that I did was to advise him of his legal
16 rights again.

17 Q If you, uh, didn't you tell us a while ago that
18 he came right in the room and told us he said
19 right off he wanted to talk to you?

20 A Almost immediately.

21 Q Yes sir, that's what I thought you said.

22 Q And 2 hours and 15 minutes later you started
23 taking the statement down?

24 A Yes sir.

25 Q You didn't take any of the stuff down before did y^h?

on Court please

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A When he first started telling us about the incident I let him talk and tell his whole story, I didn't interrupt him at all.

Q Oh you didn't interrupt him at all, go ahead, I'm sorry.

A Then he went back over the story piece by piece so that I would know exactly what happened that night then I made some notes at that time.

Q Then you never did during the course of that interrogation and the course of these answers that you allege that he gave you interrupt him and inform him that he was under no obligation to give you this information that you were in fact under an obligation to stop him to inform of his constitutional rights and to provide him with an attorney if he wanted one and needed one and did not have money to hire one, did you?

BY MR. HAUBERG:

We object, that's several questions piled in one question.

BY THE COURT:

Better break that down Counsel. Sustained

BY MR. BUCKLEY:

Q In other words what you are telling this Court that during the course of 2 hours and 12 minutes

1 am I right on the time?

2 A Two hours and twenty minutes.

3 Q That for two hours and twenty minutes you did
4 not interrupt him to inform him of any constitu-
5 tional rights?

6 A Yes sir, I informed him of his rights.

7 Q Oh, I'm sorry I must have misunderstood you
8 because I thought sure that you said just a
9 minute ago----

10 BY THE COURT:

11 Just go along Counsel, ask him your question,
12 let's go.

13 BY MR. BUCKLEY:

14 Q Did you not say that a moment ago?

15 BY MR. HAUBERG:

16 We object to Counsel arguing.

17 BY THE COURT:

18 Sustained the objection.

19 BY MR. BUCKLEY:

20 Q Now, if I'm not mistaken you told us this a
21 while ago that you took him home on the afternoon
22 of the 19th?

23 A Yes sir.

24 Q Why did you take him home that afternoon?

25 A So he would have a ride home.

Q And you got him off the job?

A Yes sir.

Q And you got him off the job then took him to the motel and then took him home?

A Yes sir.

Q What I'm getting at you supplied him with transportation is that right?

A Yes sir.

Q When you testified previous to that did you not testify that he had to leave the motel and go immediately out on the job was the reason that he had to leave the first day?

A This is on Friday, right?

Q Its on the 19th I don't know what day of the week it was.

A Yws. That's the reaaon we only talked with him two hours on the 19th because he had to go to work that night.

Q But instead of leaving him at his job you left him at home even though he had to leave.

A Well he had to go home and get a changing of clothes and get his car and get out to his job.

A I see, but you got him off the job and he wasn't dressed when you got him off the job?

1 A I dont know where he was dressed or not.

2 Q I see. That's all.

3 BY MR. ALFORD:

4 Q Mr. Rask, would you at this time point out Mr.
5 Horace Doyle Barnett? The gentlemen whom you
6 have made reference to here today?

7 A Yes sir, he's the gentlemen sitting over there
8 the third from the right?

9 Q The third from the right?

10 A Right, third from the right.

11 Q I'll ask you sir that if you didn't appear in
12 this courtroom and testify in December of 1954
13 in this, uh, concerning this same matter?

14 BY MR. HAUBERG:

15 We object to that if the Court please.

16 BY THE COURT:

17 1954?

18 BY MR. ALFORD:

19 1964 Court please, December of 1964?

20 BY MR. HAUBERG:

21 We object.

22 BY THE COURT:

23 I'll overrule the objection.

24 BY MR. ALFORD:

25 Q You may answer.

A I appeared, yes sir.

Q And at that time did you not say that you and Mr. Barnett talked about things in general?

And wasn't that your statement at that time?

A I don't remember now sir.

Q You wouldn't say that you didn't make that statement would you?

A I don't know sir.

Q Well you were and testified didn't you?

A I was here and I testified.

Q Now, who was Mr. Barnett's employer in Plain Dealing Louisiana that you went to and talked to and asked him to furnish him to you?

A I don't know the gentleman's name myself but he was working for Nations Brothers Packing Company.

Q And you went to him and told him to furnish Mr. Barnett to you did you not? You and Mr. Wooten, did you not?

A Mr. Wooten and I went and Mr. Wooten did most of the talking.

Q And what did you tell this gentlemen. Did you tell him about this case?

A No sir.

Q What did you tell him?

A That we wanted to talk with Mr. Barnett.

- 1 Q Is that all you told him?
- 2 A I believe so.
- 3 Q Did you tell him anything else?
- 4 A I don't recall telling him anything else.
- 5 Q And did he furnish you with him?
- 6 A Yes sir.
- 7 Q As a matter of fact, didn't the gentlemen that
- 8 you refer to as his boss take him off of a long
- 9 trip so he would be available there for you to
- 10 interrogate him?
- 11 A No sir. He made that trip.
- 12 Q But that wasn't a long trip we're talking about,
- 13 he made him available to you each day didn't he?
- 14 Q Well the first day we were there was a Friday
- 15 and he had to work Friday night and he came back
- 16 Saturday and then we talked to him Saturday after
- 17 he got back and we talked to him again on Sunday.
- 18 Q As a matter of fact Mr. Wooten had already talked
- 19 to him and interviewed him and talked to him
- 20 before I got there.
- 21 Q But you know that he had talked ^{to} him on several
- 22 occasions before you got there?
- 23 A I believe he had talked to him on one occasion.
- 24 Q Mr. Wooten was your partner in this matter was
- 25 he not?

A. He---

Q. You worked in a team didn't you?

BY MR. HAUBERG:

If the Court please he asks the witness a question and then doesn't wait and let him answer the questions.

BY THE COURT:

I think so, you had better let him answer.

BY THE WITNESS:

A. Mr. Wooten was assigned to the Shreveport, Louisiana RA and he picked me up when I came on there and he accompanied me on this interview.

Q. And you all cooperated together in one effort against Mr. Horace Doyle Barnett did you not?

A. I don't believe you would call it against Mr. Barnett.

Q. Well you teamed up on him didn't you?

A. We both talked to him, yes.

Q. And you worked as a team didn't you?

A. I don't know what you means as a team sir.

Q. Well you and him worked together on the same purpose did you not sir?

A. I did most of the talking because Mr. Wooten was not familiar with the case and that was the reason why I went over there.

1 Q But you briefed him on the case did you not
2 when you got there Mr. Rask?

3 A On some of the facts, yes.

4 Q And you oriented him and told him the importance
5 of why you were there didn't you and therefore
6 you knew why you were there and what your goal
7 and aim was, didn't he?

8 A I suppose so.

9 Q And both of you worked together on Mr. Horace
10 Doyle Barnett there and no one else, didn't you?

11 BY MR. HAUBERG:

12 If the Court please I object to his arguing with the
13 witness.

14 BY THE COURT:

15 Sustain the objection.

16 BY MR. ALFORD:

17 Q And Mr. Wooten informed you that he had already
18 informed you that he had already talked to him
19 on the 17th and 18th already?

20 A He didnt tell me that.

21 Q He didn't tell you that?

22 A He told me he had talked to him but not when.

23 Q And the fact of the matter is that he had, that
24 Mr. Barnett had to break himself loose from
25 y'all on the 19th of November to accomplish

a task and a mission that he had to do didn't he?

A. Well, no sir.

Q. Well, didn't he tell you he had to leave and go on a trip?

A. Yes sir.

Q. And that's the reason he got away from you on the 19th isn't it?

A. Uh, he talked to us for two hours and said he had to go to work that night so we said go.

Q. And if he did say he hadn't had to go on to work you would have kept talking to him all night wouldn't you sir?

A. If he had wanted to stay and talk, yes sir.

Q. And you had him in your motel room didn't you sir?

A. Yes sir.

Q. And the door was closed wasn't it?

A. Yes sir.

Q. And you were armed weren't you?

A. I believe I had my sidearm with me, yes sir.

Q. And Mr. Wooten was armed wasn't he?

A. This I couldn't say sir.

Q. You didn't open the door and say there's the door go if you want to did you?

A. When he told us he had to make a trip we said

1 fine go ahead.

2 Q And he's the one who broke off the conversation
3 and interrogation on that 19th day of November,
4 1964 to go on a trip wasn't he?

5 A Yes sir.

6 Q And he left and went to Tyler, Texas, didn't
7 he?

8 A I believe he said Tyler, Texas or some place in
9 Texas.

10 Q And that was an overnight trip wasn't it?

11 A Yes sir.

12 Q And he had to spend the night and come back the
13 next day there didn't he?

14 A Yes sir.

15 Q He had to drive in the night to get there didn't
16 he?

17 A Yes sir.

18 Q And when he got back in town on November 20th,
19 1964, you all were there waiting for him weren't
20 you?

21 A No sir, I believe he came to the motel----

22 Q But you had told him to come there hadn't you?

23 A We asked him to come there.

24 Q Well you had told him you were representing the
25 United States Government as a Special Agent of